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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,013	06/08/2001	Janne Salonen	4925-109PUS	8864
7590	07/13/2005		EXAMINER	
Michael C Stuart Cohen Pontani Lieberman & Pavane 551 Fifth Avenue Suite 1210 New York, NY 10176				KHUONG, LEET
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/831,013	SALONEN ET AL.
	Examiner	Art Unit
	Lee Khuong	2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 03 February 2005.  
 2a) This action is FINAL.                                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-21 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 03 February 0205 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren et al (US 6,374,112), hereinafter referred as Widegren, in view of Bales et al. (US 5,729,532), hereinafter referred as Bales.

**Regarding claims 1 and 16,** Widegren discloses a method and a system for controlling bearer properties.

*- said bearers being data transmission paths relating to a receiver (see col. 2, lines 62-64, a radio access bearer is a logical connection path between a network element and a mobile station, the network element here is an element in the UTRAN such as a base station) and*

*- each bearer having at least one transport format (TF) describing properties of said bearer (see col. 3, lines 1-6, each bearer is associated with quality of service parameters that include data rate, error rate, delivery costs which is transport format parameters), in a cellular telecommunication system (see Figure 1),*

*- information specifying said set of allowed transport format combinations (TFCS) is communicated to the receiver for construction of said set of allowed transport format combinations (TFCS) at the receiver (see col. 3, lines 16-21, UTRAN dynamically assigned*

radio access bearers to UTRAN transport and radio channel resources based on quality of services parameters from the radio access bearer request which is the mobile station).

Widegren does not expressly disclose *a set of allowed transport format combinations (TFCS) is constructed, a transport format combination (TFC) being a combination of transport formats (TF) of a plurality of bearers.*

Bales discloses *a set of allowed (valid users to be able to make conference calls) transport format combinations (TFCS) is constructed, a transport format combination (TFC) being a combination of transport formats (TF) of a plurality of bearers* (Fig. 15, see col. 20, lines 21-59).

It would have been obvious to one of ordinary skill in the art, at the time invention was made, to employ the multimedia conference call as taught by Bales into Widegren's invention to arrive the claimed invention as specified in claims 1 and 16.

The suggestion/motivation for doing so would have been to provide an efficient bandwidth allocation in telecommunication system in order to maximize the bandwidth conservation of the communication system (see col.1, line 57 – col. 2, line 2).

**Regarding claim 2,** Widegren discloses a determination of each transport combination is within predefined limits. Predefined limits can be based on quality of services, QoS, parameter(s) requested is relatively high for a speech/voice, soft/softer handover, etc. with dedicated channel may for example be selected while request with relatively low QoS such as e-mail message, a common channel may be selected (see col. 3, lines 55-67, col. 4, lines 1-16).

**Regarding claim 3**, Widegren discloses an identifier is assigned to each set of transport combinations (see col. 9, lines 29-32, lines 50-56, assigning an identifier to each bearer or combination).

**Regarding claim 4**, Widegren discloses assigning identifiers of transport format combination is performed according to a predefined rule. For example, each identifier represents multiple users communicate with a single mobile station where that mobile station may be running multiple different processes or applications (see col. 9, lines 33-49).

**Regarding claim 5**, Widegren discloses said set of transport combinations is ordered according to the total bit rate of the transport combinations. The transport combinations can be based on class of traffic with different type of bit rates (see col. 10, lines 17-21), and identifiers are assigned to said transport combination identifiers, see similar reasons set forth in rejection of claim 3. Inherently, the assigned identifiers will form a sequence of consecutive integer numbers.

**Regarding claim 6**, Widegren discloses communicating information for each allowed transport combination to said receiver (see col. 3, lines 16-21).

**Regarding claims 7 and 18**, Widegren discloses the allowed transport combination to said receiver set forth in rejection of claims 6 and 16. Inherently, the non-allowed transport combination is the bearers combination that were not allowed to form data path transmission to said receiver; therefore, it is inherently disclosed to said receiver.

**Regarding claim 8**, Widegren discloses at least one limit for construction of said set to said receiver (see col. 3, lines 55-67, said limit is QoS for a speech communication with dedicated channel selected).

**Regarding claim 9**, Widegren discloses the step of communicating information specifying at least one transport format of at least one bearer, which at least one transport format of at least one bearer is not a part of any allowed transport combination (see col. 4, lines 40-44, originally the allowed transport of one bearer/connection was the dedicated channel; however, with decreasing in QoS, the connection may be switched to the common radio channel).

**Regarding claims 10 and 19**, Widegren discloses the step of specifying the differences between said set to a previous set of transport combinations (see col. 4, lines 31-34, connection may be switched to another type of radio channel if the monitored parameter(s) changes enough from what was initially determined).

**Regarding claim 11**, this claim has similar limitations as claim 1. Therefore, it is rejected under Widegren for the same reasons set forth in the rejection of claim 1.

**Regarding claims 12 and 21**, Widegren discloses transport formats used in a transmission between a receiver and a transmitter are identified by sending a transport format

combination identifier from the transmitter to the receiver (see Fig. 4, col. 9, lines 5-32, *transmitter* is UTRAN, *receiver* is the mobile station).

**Regarding claims 13 and 14,** Widegren discloses if either party of the connection detects that the transport combination identifiers of the receiver do not correspond to the transport combination identifiers of the transmitter, the transport combination identifiers are reconstructed at least one party of the connection, the reconstruction of transport combination identifiers at both parties of the connection according to a predefined rule (see col. 4, lines 31-34, connection may be switched to another type of radio channel if the monitored parameter(s) changes enough from what was initially determined).

**Regarding claim 15,** Widegren discloses one of the parties of the connection communicates its transport combination identifiers to the other party, which takes the communicated identifiers into use (see Fig. 4, col. 9, lines 5-32, UTRAN received and processed service request. Connections are established to support mobile station).

**Regarding claim 17,** Widegren discloses:

- a memory element for storing a set of allowed transport combinations (see Fig. 4, #86, col. 9, lines 26-28, buffer memory to handle the connection information to be transmit over the common channel),
- means for checking whether a single transport format combination is within predetermined limits (see col. 3, lines 55-67, col. 4, lines 1-16), and

- means for adding a single transport format combination to said set of allowed transport format combinations stored in said memory element (see col. 9, lines 29-32, lines 50-56, assigning an identifier to each bearer or combination).

**Regarding claim 20**, Widegren discloses means for assigning a transport combination identifier to each transport format combination stored in said memory element (see Fig. 5, #87, col. 9, lines 29-32, lines 50-56, assigning an identifier to each bearer or combination).

*Response to Arguments*

3. Applicant's arguments with respect to claims 1 and 16 have been considered but are moot in view of the new ground(s) of rejection.

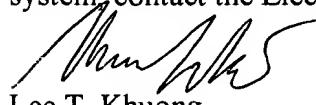
*Conclusion*

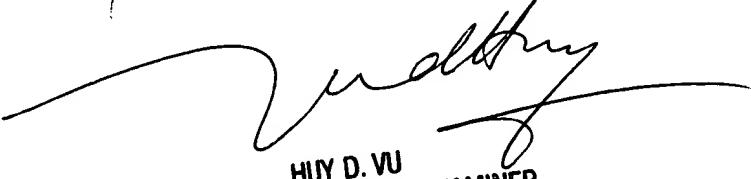
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Khuong whose telephone number is 571-272-3157. The examiner can normally be reached on 9AM - 5PM.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-272-3157.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Lee T. Khuong  
Examiner  
Art Unit 2665

  
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